

United States District Court

EASTERN DISTRICT OF OKLAHOMA

In the matter of the search of:

713 US-59, apartment 7, Heavener, OK 74937

Case No. 24-MJ-397-DES

APPLICATION FOR SEARCH WARRANT

I, Amy Holt, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that there is now concealed on the following person or property located in the **EASTERN** District of **OKLAHOMA** (*identify the person or describe property to be searched and give its location*):

SEE ATTACHMENT "A"

The person or property to be searched, described above, is believed to conceal (*identify the person or describe the property to be seized*):

SEE ATTACHMENT "B"

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of Title 18, United States Code, Section(s) 113(a)(3), 1151, and 1153, and the application is based on these facts:

- Continued on the attached sheet.
- Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


 AMY HOLT
 SPECIAL AGENT
 FEDERAL BUREAU OF INVESTIGATION

Sworn to :

Date: 11/26/2024

City and state: Muskogee, Oklahoma




Judge's signature
 D. EDWARD SNOW
 UNITED STATES MAGISTRATE JUDGE
 Printed name and title

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Special Agent, Amy Holt, being duly sworn, depose and state that:

INTRODUCTION

1. I make this affidavit in support of an application for a search warrant under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search the residence located at **713 US-59, apartment 7, Heavener, OK 74937**, which is located within the Eastern District of Oklahoma and further described in Attachment A, for the evidence, instrumentalities, and/or fruits of the crime that are further described in Attachment B.

2. I, Amy Holt, am a Special Agent (SA) of the Federal Bureau of Investigation (FBI). I am an investigative officer, or law enforcement officer, of the United States of America within the meaning of Title 18, United States Code, Section 2510(7), that is an officer of the United States who is empowered by law to conduct investigation of, and make arrests for, offenses enumerated in Title 18. In the course of my duties as Special Agent, I have investigated criminal violations related to Indian Country crimes, as explained in 18, United States Code, Section 1151 and as it pertains to the Major Crimes Act (MCA). Further, I have been involved in all aspects of federal criminal investigations, including, among other things, conducting surveillance; executing arrest and search warrants; and analyzing documentary and physical evidence in Indian Country. Prior to my employment with the FBI, I worked for eight years with the Department of the Navy.

2. I have probable cause to believe that contraband and evidence of a crime, fruits of a crime, and instrumentalities of a violation of Assault with a Dangerous Weapon with Intent to Do Bodily Harm in Indian Country, in violation of 18 U.S.C. §§ 113(a)(3), 1151, and 1153, are located within 713 US-59, Apartment 7, Heavener, OK 74937 (hereinafter the “SUBJECT PREMISES”). The SUBJECT PREMISES is located in Leflore County, Oklahoma, within the

boundaries of the Choctaw Nation Reservation, and therefore, within Indian Country as that term is defined under 18 U.S.C. § 1151, as well as the Eastern District of Oklahoma, unless otherwise indicated.

3. I submit this application and affidavit in support of a search warrant authorizing a search of the SUBJECT PREMISES, as further described in Attachment A. Located within the SUBJECT PREMISES to be searched, I seek to seize evidence, fruits, and instrumentalities of the foregoing criminal violation further described in Attachment B. I request authority to search the entire SUBJECT PREMISES, including the residential dwelling where the items specified in Attachment B may be found, and seize all items listed in Attachment B as contraband and fruits, instrumentalities, and evidence of crime.

4. The statements contained in this affidavit are based in part on: information provided by FBI Special Agents, Task Force Officers and Oklahoma State and Tribal Police Officers and my experience, training and background as a law enforcement officer and Special Agent with the FBI. Because this affidavit is being submitted for the limited purpose of securing authorization for the requested search warrant, I have not included each and every fact known to me concerning this investigation. Instead, I have set forth only the facts that I believe are necessary to establish the necessary foundation for the requested warrant.

BACKGROUND OF THE INVESTIGATION AND PROBABLE CAUSE

5. On November 26, 2024, officers were dispatched to SUBJECT PREMISES for a reported stabbing. The manager of the Humble Abode Motel, name of the SUBJECT PREMISES, reported to Heavener Police Department (HPD) that one of his tenants had been stabbed.

6. Patrol officers arrived on the scene and made contact with S.I. She told officers that her boyfriend stabbed her. Officers asked where he was and S.I. responded that he took off.

Patrol cleared the apartment and waited for Emergency Medical Services (EMS). EMS confirmed with HPD that S.I. had two stab wounds. The stabbing took place inside SUBJECT PREMISES. While she was being seen by EMS, she told HPD officers that her boyfriend was Bryson Sam (hereinafter SAM). EMS transported S.I. to the hospital in Poteau, OK to receive further medical treatment.

7. HPD officers asked the manager of the motel if he knew where SAM may have gone. The manager told HPD that SAM had family and/or friends that lived nearby and directed them to a home that HPD was familiar with based upon past contact at that residence. HPD sent officers to make contact with the residents in that home. While arriving at the home the manager described, officers observed a person matching SAM's description looking out the door. Shortly after, an officer observed SAM leaving by the back door of the house. HPD apprehended SAM who told them "I didn't stab her." HPD took SAM into custody at HPD to hold until tribal authorities arrived. From information and belief, S.I. and SAM are both enrolled members of the Choctaw Nation, a federally recognized Indian tribe, with some quantum of Indian blood.

8. While at the HPD, SAM was interviewed, and he stated that he is a member of the Mississippi Choctaw Nation, which is a federally recognized Indian tribe. Investigators observed that SAM had a blood like substance on his hands and a cell phone was found on his person. SAM told investigators that he and his girlfriend, who lives with him, frequently get into physical altercations and that they often fight because the apartment is in her name, but he pays the rent. SAM stated that he got into an altercation with his girlfriend that day, November 26, 2024, and that she was drunk, but he was not.

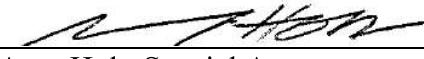
9. HPD stated that the apartment that S.I. was found in had a blue camping chair and mud boots outside the front door.

CONCLUSION

9. Affiant respectfully submits that there is probable cause to believe that evidence related to the offense of Assault with a Dangerous Weapon with Intent to Do Bodily Harm in Indian Country, in violation of 18 U.S.C. §§ 113(a)(3), 1151, and 1153, is located at the residence described above, and the items described in Attachment B are contraband, the fruits of crime, or property which is or has been used as a means of committing the foregoing offense.

10. Affiant respectfully requests that the search warrant be issued authorizing the search of the property described in Attachment A for the items listed in Attachment B, and authorizing the seizure of the items described in Attachment B.

Respectfully Submitted,


Amy Holt, Special Agent
Federal Bureau of Investigation

Sworn to on 26th day of November 2024.

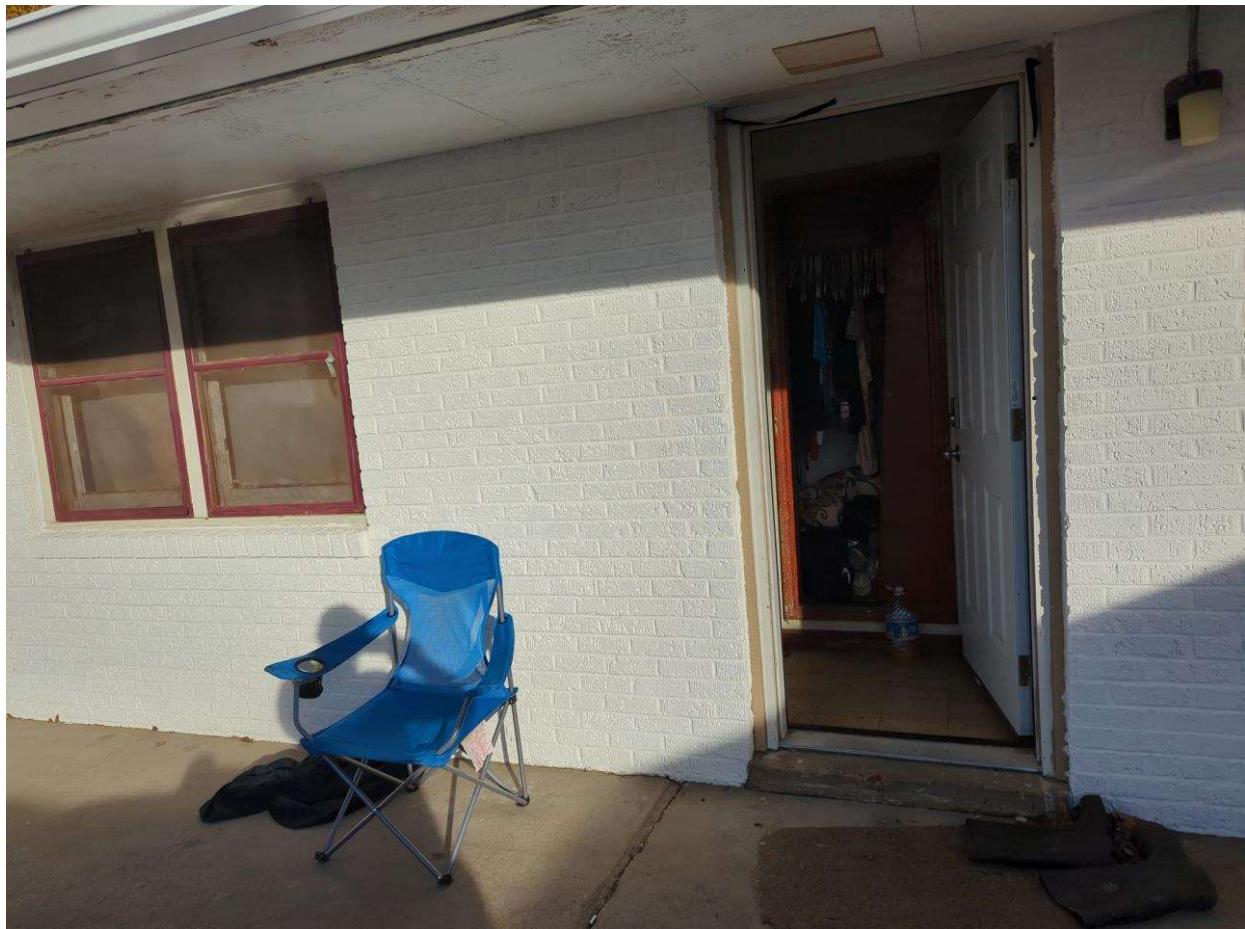

UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF OKLAHOMA

ATTACHMENT A

DESCRIPTION OF THE PREMISES TO BE SEARCHED

The premises to be searched are located at 713 US-59, apartment 7, Heavener, OK 74937.

The residence is a single-story motel like structure with brick siding and white doors. The residence is the seventh door from left to right.



ATTACHMENT B

ITEMS TO BE SEARCHED AND SEIZED

- a. Items showing or containing anything that appears to be blood
- b. Items related to Tribal status
- c. Items related to apartment rental, leases, and occupancy
- d. Knives